

**United States Court of Appeals
FOR THE EIGHTH CIRCUIT**

No. 98-4059

Franki Mayer,

Plaintiff - Appellant,

v.

Kenneth S. Apfel, Commissioner of
Social Security,

Defendant - Appellee.

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* Appeal from the United States
* District Court for the
* District of South Dakota.
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* **[UNPUBLISHED]**
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Submitted: June 18, 1999

Filed: July 26, 1999

Before LOKEN, BRIGHT, and ROSS, Circuit Judges.

PER CURIAM.

Franki Mayer applied for Social Security disability and supplemental security income benefits, alleging an amended disability onset date of April 1, 1995. After a hearing, the Commissioner's administrative law judge decided that Mayer is not entitled to benefits, finding that her bipolar disorder is a severe non-exertional impairment, that it only slightly limits her ability to work, and that Mayer retains the residual functional capacity to perform her past relevant work as truck driver, sorter, bartender, and cashier. After the Commissioner's Appeals Council denied Mayer's

request for review of the ALJ's adverse decision, she commenced this action for judicial review of the Commissioner's final decision. See 42 U.S.C. §§ 405(g), 1383(c)(3).

The district court¹ granted summary judgment in favor of the Commissioner, concluding that the ALJ's decision is supported by substantial evidence in the administrative record as a whole. Mayer now appeals to this court, arguing the record does not support the ALJ's decision because five mental health professionals have opined that Mayer's psychological condition imposes substantial and therefore disabling restrictions on her ability to work. After careful review of the administrative record as a whole, we agree with the district court that the ALJ's decision is supported by the requisite substantial evidence. Accordingly, we affirm. See 8th Cir. Rule 47B.

A true copy.

Attest:

CLERK, U. S. COURT OF APPEALS, EIGHTH CIRCUIT.

¹The HONORABLE RICHARD H. BATTEY, United States District Judge for the District of South Dakota.